

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2004/006913

A. CLASSIFICATION OF SUBJECT MATTER  
Int.Cl<sup>7</sup> C12N15/29, C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
Int.Cl<sup>7</sup> C12N15/29, C12N15/11-15/12, C12Q1/68

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
JSTPlus, WPI (DIALOG), BIOSIS (DIALOG), PUBMED, EMBL/DDBJ/Genbank/Geneseq

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
<u>X</u> A	"Allergy Busshitsu o Fukumu Shokuhin no Kensa Hoho ni Tsuite", Notice by Kaku Todofuken Chiji · Kaku Seireishi Shicho · Kaku Tokubetsuku Kucho Ate Kosei Rodosho Iyakukyoku Shokuhin Hoken Bucho, 06 November, 2002 (06.11.02), Shokuhatsu No.1106001	<u>13, 14, 17</u> 1-9, 15, 16, 18-28
<u>X</u> A	MATSUOKA T. et al., A multiplex PCR method of detecting recombinant DNAs from five lines of genetically modified maize, J.Food Hyg.Soc. Japan (2001), Vol.42, No.1, pages 24 to 32	<u>13, 14, 17</u> 1-9, 15, 16, 18-28
A	HUBNER P. et al., Validation of PCR methods for quantitation of genetically modified plants in food, J.AOAC.Int. (2001), Vol.84, No.6, pages 1855 to 1864	1-9, 13-28

☒ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

## \* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance  
"E" earlier application or patent but published on or after the international filing date  
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  
"O" document referring to an oral disclosure, use, exhibition or other means  
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art  
"&" document member of the same patent family

Date of the actual completion of the international search  
09 August, 2004 (09.08.04)

Date of mailing of the international search report  
24 August, 2004 (24.08.04)

Name and mailing address of the ISA/  
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

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## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	SHINDO Y. et al., Validation of real-time PCR analyses for line-specific quantitation of genetically modified maize and soybean using new reference molecules, J.AOAC.Int. (2002), Vol.85, No.5, pages 1119 to 1126	1-9,13-28
A	KURIBARA H. et al., Novel reference molecules for quantitation of genetically modified maize and soybean, J.AOAC.Int. (2002), Vol.85, No.5, pages 1077 to 1089	1-9,13-28
A	JP 2001-238700 A (Takara Shuzo Kabushiki Kaisha), 04 September, 2001 (04.09.01), & KR 200186586 A & US 2002/0100082 A	1-9,13-28
A	WO 02/34943 A1 (National Food Research Institute), 02 May, 2002 (02.05.02), & AU 200212678 A & EP 1335027 A1 & KR 2003051740 A & US 2004/0005605 A1 & BR 200114928 A	1-9,13-28
A	JP 2002-536024 A (BIOINSIDE GMBH.), 29 October, 2002 (29.10.02), & DE 19906169 A1 & WO 2000/47764 A2 & EP 1144676 A2 & DE 50002062 B & US 2003/0148278 A1	1-9,13-28

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Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:

a. type of material



a sequence listing



table(s) related to the sequence listing

b. format of material



in written format



in computer readable form

c. time of filing/furnishing



contained in the international application as filed



filed together with the international application in computer readable form



furnished subsequently to this Authority for the purposes of search

2. ☒ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

3. Additional comments:

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## Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

See extra sheet.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-9 and 14-28.

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

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Continuation of Box No.III of continuation of first sheet (2)

The invention relating to the method of determining the amount of arbitrary plant claimed in claim 1 and claims 2 to 9 quoting the same is common to the kit for detection of specified plant specimen including primers for detection of standard plant specimen claimed in claim 13 and claims 14 to 28 quoting the same only in relation to primers for detection of standard plant specimen for use in the detection of specified plant.

Moreover, the primer set for static detection claimed in claim 10, the primer set for buckwheat genus detection claimed in claim 11 and the primer set for peanut detection claimed in claim 12, as the primers without exception are not those employed only for the method of determining the amount of arbitrary plant involving the step of detecting the standard plant specimen and as the chemical structures of the primers are different from each other, are common to each other only in being the invention relating to primers for specific detection of individual plants.

However, the references 1 to 7 describe primers for specific detection of plants.

Consequently, being primers for specific detection of plants cannot be stated as constituting special technical features within the meaning of PCT Rule 13.2.

Therefore, the inventions of claims 1 to 28 cannot be stated as being a group of inventions linked with each other so as to form a single general inventive concept, and it appears that the invention group consists of four inventions, namely, those relating to the quantitative method and primer set therefor claimed in claims 1-9 and 14-28, the primer set for static detection claimed in claim 10, the primer set for buckwheat genus detection claimed in claim 11 and the primer set for peanut detection claimed in claim 12.

Reference 1: JP 2001-136983 A

Reference 2: JP 2001-238700 A

Reference 3: JP 2002-536024 A

Reference 4: JP 2003-135082 A

Reference 5: WO 02/34943 A

Reference 6: MATSUOKA T. et al., A multiplex PCR method of detecting recombinant DNAs from five lines of genetically modified maize, J. Food Hyg. Soc. Japan (2001), Vol.42, No.1, pages 24 to 32

Reference 7: "Allergy Busshitsu o Fukumu Shokuhin no Kensa Hoho ni Tsuite", Notice by Kaku Todofuken Chiji · Kaku Seireishi Shicho · Kaku Tokubetsuku Kucho Ate Kosei Rodosho Iyakukyoku Shokuhin Hoken Bucho, 06 November, 2002 (06.11.02), Shokuhatsu No.1106001